REMARKS - **ELECTION/RESTRICTION**

This amendment is in response to Examiner Grosz Office action dated 14 February, 2005 wherein Examiner Grosz has withdrawn the 5/11/04 restrictions requirement and set forth the following Restrictions under 35 U.S.C. 121:

I. Claims 31-55 drawn to cribs, classified in class 5, subclass 99.1.

II. Claim 56, drawn to a method for preventing crib tipping, classified in class 5, subclass 1.

III. Claims 57, 58 drawn to a method of using a juvenile bed on an adult bed, Classified in class 5, subclass 93.2.

Furthermore, the Examiner's office action states that the inventions are distinct each from the other because:

The inventions I and II or III are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown. (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a material different process of using that product (MPEP § 806.05(h)). In the instant case the process of Group II and III can be implemented with cribs other than the specific cribs of claims 31-55.

APPLICANTS MPEP § 806.05(h) ELECTION/RESTRICTION

Applicants elect, Examiner's designated Group I claims 31-55.

Election of Species

Examiner states: "If applicant elects the cribs of Group I, then the following election of species applies.

This application contains claims directed to the following patentably distinct species of the claimed invention.. The species of figure 27, and the species of figure 28.

Applicant is required under 35 U. S. C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election"

Applicants Election of Species

Applicants elect species of figure 27. The following claims are readable thereon: Claims: claims 30-40

IN THE SPECIFICATION

The following corrections have been made to the specification. These changes are for addition of US Patent numbers related to previously submitted and allowed applications and to correct errors in the original specification. The corrections do not contain any new matter. Two copies of the specification, one with edits shown and a second clean copy have been attached immediately following this Amendment.

Edits:

- Page 1, line 4 after "2000", and on page 8, line 13 after "200" – now US patent number 6,776,433 and in line 5 after "2001" –now US patent number 6,776,433. The paragraphs containing these changes now read:

"This application is a second Continuation-in-Part of parent US Patent Application 09/642,948 filed on August 22, 2000 – now US patent number 6,428,033 - and a first Continuation-in-Part US Patent Application 10/014,125 filed on December 11, 2001 – now US patent number 6,776,433."

"In this specification like reference characters are used for like parts throughout the several views and similar parts at different locations are indicated by a letter following the part reference number. Thus for example, referring to FIG. 1 (This figure is also FIG. 1 from the parent application 09/642,948 filed on August 22, 2000 – now US patent number 6,428,033 - and hereafter referred to as "Parent") the four lower corner brackets 60A, 60B, 60C, and 60D may be referenced as individual brackets in this specification or when not referring to a specific bracket but rather the brackets in general as lower corner brackets 60. Also, in this specification the term "open" when used in connection with the description of a device is meant to mean the device in its functional or use configuration and "closed" is meant to mean the device in its collapsed or non-functional configuration.

- Page 23, line 24, 27 and 28 and page 24 line 2 and 5 the number "71" has been changed to "171". The paragraph containing these changes now reads:

"FIG. 27 is a cut away view of a crib frame that has flexible sidewalls **171** and a flexible bottom **80** attached. In the preferred embodiment of the invention, the sidewalls incorporate an SLE strap or web **200** into their construction. Said sidewalls **171** are generally placed inside the frame to form a protective barrier against a child falling and hitting the crossed support arm. The sidewalls **171** will generally be constructed of a flexible mesh fabric and the bottom will be made of a moisture barrier material to protect beds from possible urination accidents and children from dampness and moisture from the ground when used as a playpen. In a preferred embodiment, the perimeter formed by the sidewalls **171** is designed to be smaller than the perimeter defined by the four upper corner brackets **40** or the lower corner bracket **60**. In this example, the sidewalls are also designed to act as an Anti Collapse Locking Mechanism. The sidewalls **171** are attached to the lower corner brackets when the crib is open thus locking the structure in an open position by preventing the upward movement of the upper corner brackets **40** that is required to collapse the structure when the collapsible frame is sitting on a hard surface.

- Page 25, line 27 and page 26, line 1 the number "71" has been changed to "171". The paragraph containing these changes now reads:

"Thus, the three pair of telescoping crossed support arms, the detachable horizontal telescoping support bar assemblies and the corner brackets form a size adjustable, collapsible open topped frame when the upper corner brackets 40 and the lower corner brackets 60 are spread apart and the horizontal

telescoping bar assemblies 355 are connected. The collapsible frame can be made into a crib and locked into position with the addition of an SLE. We have previously described in FIG. 27 an SLE 200 incorporated into the sidewalls **171**, and a bottom 80 that could also be used with the collapsible frame illustrated in FIG. 28. As previously described for FIG. 25, the crib frame is locked into its open position by SLE **201** which has been incorporated into the sidewalls **171** and the side walls also acts as an Anti Collapse Locking Mechanism."

- Page 24, line 27 the number "355A" has been changed to "355B" and in line 30 the number "355B" has been changed to "355A". The paragraph now reads:

"Each pair of telescoping cross support arms **350** is pivotally connected where the support arms bisect each other and are of equal length. As illustrated previously in FIG. 17, each telescoping crossed support arm is essentially identical and is comprised of an intermediate tubular section **351** and a pair of outer tubular sections **352** that telescope opposite ends into and out of said intermediate section **351** and is similar in functionality to those described in FIG. 25. FIG. 28 illustrates, two detachable telescoping horizontal support bar assemblies **355**. One support bar **355A** is pivotally connected to front lower corner bracket **60B** and has a snap fitting **280** mounted on the other end in order to quickly connect and disconnect from the front lower corner bracket **60C**. The other detachable telescoping horizontal support bar **355B** is pivotally connected to the front upper corner bracket **40C** and has a snap fitting **280** mounted on the other end in order to quickly connect and disconnect from the upper corner bracket **40B**. The detachable telescoping horizontal support bar assemblies **355A** and **355B** telescope in a manner similar to that previously illustrated in FIG.

21. Each bar has an inner tubular section **351** that slides within an outer tubular section **352**. The outer tube **352** has formed therein a plurality of longitudinally spaced holes **321**. Said holes **321** are spaced to create a predetermined bar length when the previously described V-shaped or hairpin spring **323** is engaged into a specific hole. The predetermined bar lengths are established to keep the frame in a rectangular shape, thus keeping an equal distance between upper corner brackets **40A** and **40D** and **40B** and **40C** and lower corner brackets **60A** and **60D** and **60B** and **60C**.

- Page 25, line 30 the number "201" has been changed to "200". The paragraph now reads:

"Thus, the three pair of telescoping crossed support arms, the detachable horizontal telescoping support bar assemblies and the corner brackets form a size adjustable, collapsible open topped frame when the upper corner brackets **40** and the lower corner brackets 60 are spread apart and the horizontal telescoping bar assemblies **355** are connected. The collapsible frame can be made into a crib and locked into position with the addition of an SLE. We have previously described in FIG. 27 an SLE 200 incorporated into the sidewalls **171**, and a bottom **80** that could also be used with the collapsible frame illustrated in FIG. 28. As previously described for FIG. 25, the crib frame is locked into its open position by SLE **200** which has been incorporated into the sidewalls **171** and the side walls also acts as an Anti Collapse Locking Mechanism."

- Page 26, line 3 the word "desire" has been changed to "desired". The paragraph now reads:

"When it is desired to collapse the frame illustrated in FIG. 28 for storage or transit, the two detachable horizontal support bar assemblies, **355A** and **355B** are detached from corner brackets **60C** and **40D**. Once detached, these brackets can be telescoped inwards upon themselves and rotated so to a vertical alignment.

Thus when all of the upper corner brackets are together, and all of the lower corner brackets are together, and all of the crossed support arms are lined up in essentially parallel alignment, the two detachable horizontal bar assemblies, **355A** and **355B** will also lay essentially in parallel alignment."

- Page 26 in line 20, the numbers "60A, 60B, 60C, and 60D" have been changed to "61A, 61B, 61C and 61D" and in line 22 the number "60 has been changed to "61". The paragraph now reads:

"Although we have not discussed it during our presentation of crib frames, it is possible to attach or extend telescoping legs from the lower corner brackets **61** such that the crib sleeping area will be raised above the ground. As illustrated in FIG. 29, a rigid SLE **304** is attached to lower corner brackets **61A**, **61B**, **61C**, and **61D** to provide a surface upon which a mattress could be placed for sleeping. Telescoping anti-torque posts **35** are extended below the lower corner brackets **61** and are held in place by a locking mechanism like that illustrated in FIG. 6."